

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMES PERRIN,)	
)	
Plaintiff,)	Civil Action No. 16-791
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Cynthia Reed Eddy
ROBERT IZZULINO, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This case was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On January 11, 2017, the Magistrate Judge issued a Report (Doc. 32) recommending that Defendants' Motion to Dismiss (Doc. 21) be denied, but that the Court stay and administratively close this action until the conclusion of Plaintiff's criminal proceedings. Service of the Report and Recommendation was made on Plaintiff, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, it hereby is **ORDERED** that Defendants' Motion to Dismiss (**Doc. 21**) is **DENIED**, without prejudice to later renewal if and as appropriate; this case hereby is **STAYED** and **ADMINISTRATIVELY CLOSED**; and the Magistrate Judge's Report and Recommendation is adopted as the Opinion of the District Court.

If and when Plaintiff's criminal charges are dismissed or resolved in his favor, he may file with this Court a motion to reopen his case. Plaintiff is forewarned, however, that any such motion must be appropriately supported, and, should it be in contradiction to information

available in the public-record (*e.g.*, his criminal docket), the request will, in the absence of good cause shown, be summarily denied. Finally, Defendant Matthew Truesdell's Motion (**Doc. 34**) for extension of time to file a responsive pleading is **GRANTED**, and his deadline for answering or otherwise responding to the Complaint is extended until thirty (30) days after the Court enters an order lifting the stay and reopening this case.

IT IS SO ORDERED.

February 6, 2017

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

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cc (via ECF email notification):

All Counsel of Record